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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,694	03/08/2001	Jurgen Pandel	P01 0063	5077

29177 7590 02/16/2005  
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EXAMINER

PARSONS, CHARLES E

ART UNIT PAPER NUMBER

2613

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/786,694

Applicant(s)

PANDEL ET AL.

Examiner

Charles E Parsons

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 16-31 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen.

16, 26, 31. A method for processing a digitized picture with pixels, comprising the steps of:

grouping the pixels into picture blocks, (See Chen Figure 3)

assigning information about the picture object to the at least one picture block; (See Chen figure 5)

assigning a quality specification indicating the quality with which a picture object is coded to at least one macroblock contained in the corresponding picture object; and (See Chen abstract and column 3 lines 5-11)

determining the quality by a spatial resolution. (Quality is determined by the resolution therefore inherent.)

segmenting the picture into at least a first picture object and a second picture object, at least one picture block being assigned to at least a part of an edge of the first picture object; (See Chen figure 3. As well as figure 1a-1d wherein he shows his picture separated into separate objects.)

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coding the picture objects with different quality; (See Chen column 8 lines 48-61 note that the quantization scale can be adjusted for each individual object. While not specifically shown in the reference, at the time the invention was made it was well known in the art that once a picture was segmented into objects as they are in Chen, each object can have a different resolution. Therefore, it would have been obvious to one of ordinary skill in the art to code each object with a different resolution motivated by Chen's teaching that each object can be quantized with different step sizes.)

Claim 17, 27: The method of claim 16 wherein a plurality of picture blocks are in each case grouped to form a macroblock; and a macroblock is assigned at least to the part of the edge. (See Chen figure 3)

Claim 18: The method of claim 17 wherein at least one luminance block of the macroblock is assigned at least to the part of the edge of the first picture object. (See Chen column 10 lines 14-16)

Claim 19: The method of claim 16 in which at least one picture block is assigned to an entire edge of the first picture object. (See Chen figure 3.)

Claim 20: The method of claim 17 in which information about the picture object is in each case assigned to all the macroblocks in which the edge is contained. (See Chen lines 35-60.)

Claim 21: The method of claim 17 in which the first picture object is addressed using a macroblock address respectively assigned to a macroblock.

Claim 22. The method of claim 17 in which the second picture object is addressed using a macroblock address respectively assigned to a macroblock. (As for claims 21 and 22, Clearly if an object is segmented as shown in Chen figures 3 and 4, they will all have

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macroblock addresses assigned with respect to one another thus an inherent feature and not patentable.)

23, 28. The method of claim 16 used for coding a digitized picture.

24, 29. The method of claim 16 used for decoding a digitized picture.

(As for claims 23, 24, 28 and 29 Chen encodes and decodes digitized images see figure 2a and 2b.)

Claim 25, 30: The method of claim 16 used in a mobile communications device. (See Chen column 1 lines 18-30 clearly teaching that the invention can be used for video communication. At the time the invention was made, it was well known in the art that mobile communication devices could be adapted to transmit and receive video data. Therefore it would have been obvious to one of ordinary skill in the art to incorporate video encoding and decoding capabilities into a mobile communication device in order to make the invention as claimed.) (Official Notice served.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Paul R.", with a long horizontal flourish extending to the right.

CEP